



## **STAFF RECOMMENDATION TO PLANNING COMMISSION**

**CASEFILE:** 2017-01IF

**HEARING DATE:** February 28, 5:30 pm, Planning Commission

**REQUEST:** Consider a proposal to amend the text of Sections 8 and 10 of the City of La Pine Zoning Ordinance No. 2012-05

**STAFF CONTACT:** Tammy Wisco, PE, AICP, Planning Consultant, (210) 896-3432

### **I. INTRODUCTION**

The City has proposed legislative text amendments to City of La Pine Ordinance 2015-03, an ordinance amending the Zoning Ordinance No. 2012-05. The proposal is to amend the definition of “medical marijuana dispensary” to “marijuana dispensary”; to add it as a principal use to the traditional commercial (C) and mixed use commercial (CMX) zones; and to expressly not allow it in the Transitional Areas (TA). The proposed amendments are listed in Exhibit A.

### **II. APPLICABLE CRITERIA**

1. City of La Pine Ordinances:
  - a. La Pine Land Use Procedures Code, Section 3.0.0
2. City of La Pine Comprehensive Plan
3. Oregon Administrative Rules (OARs)
  - a. 660-015, Oregon Statewide Planning Goals

### **III. PROPOSED AMENDED SECTIONS**

Proposed Amendments to La Pine Zoning Ordinance, 2012-05:

AMENDMENT 1: Section 8. Definitions

AMENDMENT 2: Section 10. Permitted Uses

### **IV. FINDINGS OF FACT**

**Proposed Amendments:** The attached amendments are proposed to update the City of La Pine Zoning Ordinance, 2012-05, following a City Council direction based on the public vote in favor of marijuana retail sales on the November 2016 ballot.

**Public Notice and Comments:** Public notices were posted at the La Pine City Hall, Deschutes County Library - La Pine Branch, Ace Hardware Store and on the City’s website. Notice was published in the local newspapers, *Wise Buys* and *Frontier Advertiser*, in their February 7, 2017 and February 14, 2017 weekly edition, as well as in the Bend Bulletin on February 2, 2017. Additionally, written notice was mailed to all property owners within the Transitional Areas (TA) on February 1, 2017. No written comments were received at the time of the staff report drafting.

## **V. CONCLUSIONARY FINDINGS**

### **1. Conformance with the La Pine Land Use Procedures Code, Ordinance 2011-03**

#### **SECTION 3.0.0. LEGISLATIVE PROCEDURES**

**Section 3.1.0. Hearing required**

**Section 3.2.0. Notice**

**Section 3.3.0. Initiation of legislative changes**

**Section 3.4.0. Hearings Body**

**Section 3.5.0. Final decision**

**Section 3.1.0. Hearing required.**

**No legislative change shall be adopted without review by the Planning Commission and a public hearing before the City Council. Public hearings before the Planning Commission shall be set at the discretion of the Planning Director or other designated City representative, unless otherwise required by state law.**

**FINDING:** A public hearing will be held before the Planning Commission on February 28, 2017 at 5:30 pm. If the Planning Commission votes to recommend approval of the amendments to the City Council, a second public hearing before City Council will be scheduled.

**Section 3.2.0. Notice**

**1. Notice of a legislative change shall be published in a newspaper of general circulation.**

**2. The notice shall state the time and place of the hearing and contain a statement describing in general detail the nature of the proposed change.**

**A. Posted Notice. Notice shall be posted at the discretion of the Planning Director or other duly designated City representative and where necessary to comply with ORS 203.045.**

**B. Individual Notice. Individual notice to property owners, as defined in Section 2.2.0 (A), shall be provided at the discretion of the Planning Director or other duly designated City representative, except as required by ORS 215.503**

**FINDING:** Notice of the public hearing to consider the proposed zoning ordinance amendments was posted at La Pine City Hall, Deschutes County Library - La Pine Branch, Ace Hardware Store and the City's website. Notice was published in the local newspapers, *Wise Buys* and *Frontier Advertiser*, in their February 7, 2017 and February 14, 2017 weekly editions, as well as in the Bend Bulletin on February 2, 2017.. Additionally, written notice was mailed to all property owners within the Transitional Areas (TA) on February 1, 2017. The notices stated the time and place of hearings, as well as a general description of the nature of the proposed changes.

### **Section 3.3.0. Initiation of legislative changes**

**Legislative Changes may be initiated by application of individuals upon payment of required fees as well as by the City Council or the Planning Commission with the consent of the City Council.**

**FINDING:** The proposed text amendments were initiated by City Council following a public vote in November 2016 and are being presented to the Planning Commission for consideration.

### **Section 3.4.0. Hearings body**

**A. The following shall serve as hearing or review body for legislative changes in this order:**

- 1. The Planning Commission.**
- 2. City Council.**

**B. Any legislative change initiated by the City Council should be reviewed by the Planning Commission prior to action being taken by the City Council.**

**FINDING:** A public hearing will be held before the Planning Commission on February 28, 2017 at 5:30pm. If the Planning Commission votes to recommend the amendments for approval by City Council, a hearing before City Council will be scheduled.

### **Section 3.5.0. Final decision**

**All legislative changes shall be adopted by ordinance.**

**FINDING:** If approved by Planning Commission, the proposed legislative changes will be contained in an ordinance, for consideration and adoption by City Council.

## **2. Conformance with the La Pine Comprehensive Plan**

### **Chapter 2, Citizen Involvement Program**

This chapter identifies State rules related to citizen involvement, along with the community's purpose and intent with regard to citizen involvement. This chapter identifies issues and goals, policies and programs, it establishes roles and responsibilities, and establishes specific Citizen Advisory Committees (CACs). One of the CACs that are identified in this chapter is a Planning Commission, which the City has established for planning and land use purposes. *This application and request has been processed and reviewed in accordance with the public notification procedures that have been established in the Procedures Ordinance, and a hearing will be held before the Planning Commission on February 28, 2017. As such, the application will be reviewed by the appropriately established citizen advisory committee, in accordance with the adopted notification procedures, and will be consistent with this chapter. Further, this ordinance was drafted after a November 2016 public vote in favor of allowing marijuana dispensaries within the City of La Pine city limits.*

### **Chapter 3, Agricultural Lands**

This chapter addresses agricultural lands within counties. Although La Pine is not required to plan for agricultural lands in the City, there continues to be agricultural uses in some areas within the city limits and the City's Comprehensive Plan sets out goals and policies related to agriculture. *The proposed amendments do not impact the City's ability to achieve the goals and policies within this chapter, as the proposed amendments address uses on industrial lands, not agricultural lands.*

#### **Chapter 4, Forest Lands**

Chapter 4 implements State Planning Goal 4, which defines “forest lands” and requires counties to inventory and conserve such lands. However, planning for forest lands is not required within city limits. *This chapter does not apply to the proposed amendments.*

#### **Chapter 5, Natural Resources and Environment**

This Comprehensive Plan chapter is intended to address Oregon Statewide Planning Goals 5, 6, and 7 which address natural resources, historic area, and open spaces, air water and land resources and protection from natural hazards. *The proposed amendments do not impact the City’s ability to implement this chapter or Statewide Planning Goals 5, 6, and 7, as they are not related to natural resources, historic areas, open spaces, air, water and land resources protection from natural hazards.*

#### **Chapter 6, Parks, Recreation and Open Space**

This Chapter is intended to carry out Statewide Planning Goal 8, Parks, Recreation and Open Space. Recognizing that quality of life is impacted by the location and function of area parks, natural areas and open spaces, this chapter encourages cooperation between the City, the La Pine Park and Recreation District, County, State and Federal Agencies, in an effort to develop an appropriate park system for the City. *The proposed amendments do not impact the City’s ability to implement this chapter or Statewide Planning Goal 8, as they are not related to parks, recreation and open space.*

#### **Chapter 7, Public Facilities and Services**

This chapter is intended to carry out Statewide Planning Goal 11. Given the current population of 1,687 (PSU 2015 Population Estimate), Goal 11 does apply to the City of La Pine. Nonetheless, this Chapter includes goals and policies directed at coordination, provider details, expansion needs, development restrictions, along with conservation practices. *The policies of this chapter do not apply directly to the proposed amendments, which are not associated with specific development.*

#### **Chapter 8, Transportation**

This chapter is intended to carry out Statewide Planning Goal 12. This chapter provides details of the transportation elements of La Pine, including roads, bicycle ways, pedestrian routes, and public transit. Additionally, this chapter addresses long range planning needs, air and rail, pipelines, and funding. *The majority of the policies of this section have been incorporated into the Zoning Ordinance and implementing regulations, which are imposed upon site plan application of any commercial development. At this time, the policies of this chapter do not specifically apply to the proposed text amendments.*

#### **Chapter 9, Economy**

This Chapter is intended to carry out Statewide Planning Goal 9, Economic Development, which requires local jurisdictions to plan for and provide adequate opportunities for a variety of economic activities vital to the health, welfare and prosperity of its citizens. The overall intent is to ensure that there are adequate lands and infrastructure for new business and industry, as well as identifying any obstacles. This Chapter includes an analysis of the La Pine economy, noting that “La Pine’s focus on economic development is a key component of its vision to be a “complete” community. *The goals of this chapter relate to strategic planning and land inventories to satisfy urban development needs of the City. While the proposed amendments do not relate specifically to these goals, the addition of marijuana dispensaries as an allowed use in certain zones increases opportunities within the City for new businesses, supporting the overall*

*intent of the chapter.*

### **Chapter 10, Housing**

This chapter addresses housing and Statewide Planning Goal 10 to ensure the provision of appropriate types and amounts of land within the La Pine urban growth boundary - UGB (city limits in this case) to support a range of housing types necessary to meet current and future needs. *The proposed text amendments do not affect housing as they do not address uses within any residential zones.*

### **Chapter 11, Energy Conservation**

This chapter carries out Oregon State Planning Goal 13. This chapter identifies issues with travel, existing development patterns, and energy supply opportunities. The policies of this chapter address residential density, along with development and design desires. *The proposed text amendments do not include any development, thus the policies of this chapter do not apply to the current proposal. Some of the policies of this section may be imposed during future site plan review, as some of the policies of this chapter are implemented through adopted Zoning Ordinance provisions.*

### **Chapter 12, Urbanization**

This chapter addresses Statewide Planning Goal 14 to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. The chapter highlights that the data shows that there is an excess of acreage available within the current city limits to accommodate the projected housing need. *The proposed text amendments do not impact the City's ability to provide an orderly and efficient transition from rural to urban land or to manage the balance of types of land, as the proposed amendments relate to a use and do not include changes in zones or comprehensive plan designations.*

## **3. Conformance with the State Administrative Rules (OARs)**

### **OAR 660-015, Statewide Planning Goals**

#### **Goal 1 - Citizen Involvement**

Statewide planning Goal 1 requires that the City provide the opportunity for citizens to be involved in the planning process.

**FINDING:** Notice of the public hearing to consider the proposed zoning ordinance amendments was posted at La Pine City Hall, Deschutes County Library - La Pine Branch, Ace Hardware Store and on the City's website. Notice was also published the local newspapers, *Wisebuys* and *Frontier Advertiser*, in the February 7, 2017 and February 14, 2017 weekly editions, as well as in the Bend Bulletin on February 2, 2017. Written notice, compliant with Measure 56, was mailed to all property owners within the Transitional Areas (TA) on February 1, 2017. Citizens are provided the opportunity to comment on the proposed amendments at the public hearings before the Planning Commission and the City Council, or in writing in advance of the hearings.

#### **Goal 2 - Land Use Planning**

Goal 2 outlines the basic procedures of Oregon's statewide planning program. Land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated

with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed.

**FINDING:** As required by Goal 2, the City has adopted criteria and procedures (zoning ordinance, land use procedures code) to evaluate and make land use decisions. Goal 2 requires periodic review and amendments to ordinances as needed and in accordance with the Comprehensive Plan. The proposed amendments meet the requirements of Goal 2 by following the appropriate procedures for amendments and by considering the goals and policies outlined in the Comprehensive Plan.

### **Goal 3 - Agricultural Lands**

Goal 3 requires counties to inventory agricultural lands and to "preserve and maintain" them through farm zoning outside of urban growth boundaries.

**FINDING:** Goal 3 is not required for compliance within the Urban Growth Boundary. Additionally, the proposed amendments do not adversely impact the ability of the City to plan for agricultural transition opportunities within the City.

### **Goal 4 - Forest Lands**

This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."

**FINDING:** The proposed amendments are consistent with Forest Lands (Goal 4) and Goal policies, as they do not adversely impact the ability of the City to plan for the appropriate transition of Forest lands within La Pine.

### **Goal 5 - Open Spaces, Scenic and Historic Areas and Natural Resources**

Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated. If a resource or site is found to be significant, a local government has three policy choices: preserve the resource, allow proposed uses that conflict with it, or strike some sort of a balance between the resource and the uses that would conflict with it.

**FINDING:** The proposed amendments are consistent with Goal 5 and the Goal policies, as they do not adversely impact the ability of the City to protect the important natural resource and environmental elements within the City.

### **Goal 6 - Air, Water and Land Resources Quality**

This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution. All waste and process discharges from future development, when combined with such discharges from existing development shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards.

**FINDING:** The proposed amendments are consistent with Goal 6 and the Goal policies, as they do not adversely impact the ability of the City to protect air, water, and land resources quality. Any future development related to the proposed amendments to allow marijuana dispensaries in the commercial and mixed use commercial zones within the city will be required to submit site plan applications, which are reviewed for compliance with water, sewer, stormwater, and transportation requirements.

### **Goal 7 - Natural Hazards**

Goal 7 focuses on local government planning to protect people and property from natural hazards.

**FINDING:** The proposed amendments do not impact the City's ability to plan for natural hazards and mitigate risks.

### **Goal 8 - Recreational Needs**

This goal calls for each community to satisfy the recreational needs of the citizens and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

**FINDING:** The proposed amendments do not impact the City's ability to plan for the recreational needs of the citizens and visitors.

### **Goal 9 - Economic Development**

Goal 9 calls for diversification and improvement of the economy. It requires communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

**FINDING:** The proposed amendments are consistent with Economic Development (Goal 9) and Goal policies by increasing and diversifying economic development opportunities through expanding allowable uses within the zoning ordinance.

### **Goal 10 - Housing**

This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

**FINDING:** The proposed amendments do not adversely impact the City's ability to provide for the housing needs of its citizens. The proposed amendments will not reduce residential inventories, as the amendments propose to add marijuana dispensaries to only the traditional commercial (C) and commercial mixed use (CMX) zones.

### **Goal 11 - Public Facilities and Services**

Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should to be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

**FINDING:** The proposed amendments do not adversely impact the City's ability to plan and develop a timely, orderly and efficient arrangement of public facilities.

### **Goal 12 - Transportation**

The goal aims to provide "a safe, convenient and economic transportation system." It requires communities to address the needs of the "transportation disadvantaged."

**FINDING:** The proposed amendments do not adversely impact the City's ability to provide a safe convenient and economic transportation system. The proposed amendments are not site

specific and therefore do not affect the functional classification of any street. The proposed amendments will not have measurable impacts on the amount of traffic on the existing transportation system; therefore the proposed text amendments do not cause a “significant effect” under ORS 660-012-0060. As such, compliance with Goal 12 is maintained.

**Goal 13 - Energy Conservation**

Goal 13 requires that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

**FINDING:** The proposed amendments do not adversely impact the City’s ability to create an arrangement and density of land uses to encourage energy conservation. As such, compliance with Goal 13 is maintained.

**Goal 14 - Urbanization**

This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

**FINDING:** The proposed amendments do not adversely impact the City’s ability to accommodate urban populations and employment inside the urban growth boundary. The proposed amendments do not encourage sprawl or lower than targeted densities, or uncoordinated development. The management of the City’s land use inventories is unaffected by the proposed amendments and therefore compliance with Goal 14 is maintained.

**Goals 15-19**

**FINDING:** These goals pertain only to areas in western Oregon and are not applicable to these amendments.

**V. RECOMMENDATION and CONCLUSION**

**Conclusion**

Based on the above findings, the proposed marijuana dispensary amendments to the zoning ordinance meet the La Pine Land Use Procedures Code criteria, La Pine Comprehensive Plan goals and policies, and are consistent with applicable State land use laws.

**Recommendation**

Based on findings and evidence available at the time this report was prepared, staff recommends that the Planning Commission recommend the marijuana dispensary proposed amendments for approval to City Council.

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**END of STAFF REPORT**



EXHIBIT A TO ORDINANCE NO. 2017-\_\_\_\_  
AN ORDINANCE AMENDING ORDINANCE NO. 2012-05,  
AS AMENDED BY ORDINANCE NO. 2015-03

Double Underlined words are words added

~~Strikethrough~~ words are words deleted

**Amendment 1: Amending Amendment 1 to Ordinance No. 2015-03, which amends Section 8 of Ordinance No. 2012-05. Definitions.**

*Amend definition:* “~~Medical Marijuana Dispensary~~ Marijuana Dispensary. Any structure or use of property subject to registration through the Oregon Health Authority under ORS 475B.34500 to 475B.346455 as a medical marijuana dispensary as defined in ORS 475B.410(16) or licensed through the Oregon Liquor Control Commission under ORS 475B.110 to 475B.125 as a marijuana retailer as defined in ORS 475B.015(20), as such statutes may be amended from time to time, involving the sale, distribution, transmittal, gift, dispensing, and/or otherwise provides ~~medical~~ marijuana or ~~medical~~ marijuana products, whether medical or recreational, but ~~to medical marijuana qualifying patients~~ excluding the wholesaling, processing, laboratory certification, or production of ~~medical~~ marijuana or ~~medical~~ marijuana products, whether medical or recreational.”

**Amendment 2: Amending Amendment 2 to Ordinance No. 2015-03, which amends Section 10 of Ordinance No. 2012-05. Permitted Uses.**

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**C**

**Traditional Commercial Zone**

Principal uses

Retail sales and/or product service, including auto sales/service establishments, including auto related sales/services  
Public, non-commercial parks & recreation  
Eating & drinking establishments  
Personal & health service establishments such as Health clubs and training  
Business, professional &, government offices  
Hotels and lodging  
Transit Facilities  
Commercial recreational uses  
Multi-family dwellings  
Clinic  
Veterinary clinic  
Public & private schools  
Residential Care Facilities & nursing homes  
Family day care home, group day care home  
Churches  
Cemeteries  
Bed & breakfast establishments  
Clubs and lodges  
Government buildings & services  
Forestry activities, including but not limited

to timber harvesting

Essential services

Day care centers

Funeral homes

~~Medical~~ Marijuana Dispensary (subject to requirements of Section 12. N. ~~of this Ordinance of~~ the Zoning Ordinance.)

Conditional Uses

Single-family dwellings (701.1)

Parking lots not associated with a principal use

Any use that emits fumes or noxious odors such as paint booths, refinishing, sand blasting, food processing, animal processing, tanneries, composting, and the like

Any use that requires a DEQ air quality permit

Any use that emits noise beyond 20 dB

Accessory uses

Garage, storage shed, swimming pool

Home occupation & home-based business

Shelter for domestic pets

Other clearly incidental & subordinate uses

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**Amendment 3: Amending Section 10 of Ordinance No. 2012-05. Permitted Uses.**

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**CMX  
Mixed-use Commercial Zone**

Principal uses

All uses in the RSF, RMF, and RMP zones  
Retail sales and/or product service, including show rooms  
Personal & health service establishments  
Eating and drink establishments  
Business, professional &, government offices including business parks  
Passenger transportation terminals  
Parking lots and structures  
Motels and hotels  
Clubs, lodges & fraternal organizations  
Commercial recreation and amusement  
Funeral homes  
Veterinary clinic  
Government buildings & services  
Forestry activities, including but not limited to timber harvesting  
Essential services  
Marijuana Dispensary (subject to requirements of Section 12. N. of the Zoning Ordinance.)

Conditional uses

Automobile, RV & truck sales and/or service uses  
Accessory dwellings

Accessory uses to a Primary Use\*

Clearly incidental & subordinate uses

\*Accessory uses shall be constructed after or in conjunction to the construction of the property's primary use.

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**TA  
Transitional Areas**

Principal uses

All principal residential and commercial uses, excluding Marijuana Dispensary  
Forestry activities, including but not limited to timber harvesting

Conditional uses

All conditional uses in the residential and commercial zones

Accessory uses to a Primary Use\*

Clearly incidental & subordinate uses

\*Accessory uses shall be constructed after or in conjunction to the construction of the property's primary use.

These uses shall be implemented as transitional uses between different zones as shown on the zoning map. Development in the TA requires master planning to assess uses and transitional needs given the specific area of development.

**Amendment 4: Amending Amendment 3 to Ordinance No. 2015-03, which added Section 12(N) to Ordinance No. 2012-05. Special Uses.**

12. SPECIAL USES

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N. ~~Medical~~-Marijuana Dispensaries

1. PROCEDURES

a. ~~Medical~~-Marijuana Dispensaries shall obtain a Zoning Permit pursuant to Section 7, and/or a Site Plan Review approval pursuant to Section 13, as required by the Zoning Ordinance.

b. All applications shall be made in the same name as the of the Person Responsible for a Medical Marijuana Dispensary as defined in OAR 333-008-1010(26) "registrant" as that term is defined in ORS 475B.610(1)(b) or the "licensee" as that term is defined in ORS 475B.015.

2. ADDITIONAL APPROVAL CRITERIA. In addition to any applicable approval criteria for Zoning Permit and/or Site Plan Review approval, the applicant shall comply with the following approval criteria:

a. An application for a ~~Medical~~-Marijuana Dispensary must have a current city business license at the time of application.

b. Applicant's proposal must demonstrate compliance, or the ability to comply (with appropriate conditions of approval), with Ordinance No. 2015-02 or Ordinance No. 2016-10, as applicable, and any amendments to those ordinances.

c. A ~~Medical~~-Marijuana Dispensary shall be setback at least 50 feet from Highway 97.

d. A public entrance to a ~~Medical~~-Marijuana Dispensary shall not be visible from or oriented towards Highway 97 or Huntington Road, unless the ~~Medical~~-Marijuana Dispensary is located in a building that is more than 50 feet from the right-of-way of those roadways.

3. CONDITIONS OF APPROVAL. In addition to any conditions of approval imposed as part of Zoning Permit and/or Site Plan Review approval, ~~Medical~~-Marijuana Dispensaries are subject to the following conditions of approval:

a. The applicant for a ~~Medical~~-Marijuana Dispensary shall obtain and present documentation of all applicable state approvals, registration, licensing, and permitting to the City within 6 months of Zoning Permit or Site Plan Review approval.

b. ~~Medical~~-Marijuana Dispensaries shall keep all required state registration, licensing, and permitting current.

c. ~~Medical~~-Marijuana Dispensaries shall keep all required City business license or other required permits current.

d. At all times, ~~Medical~~ Marijuana Dispensaries shall remain compliant with Ordinance No. 2015-02 or Ordinance No. 2016-10, as applicable, and applicable state laws governing ~~Medical~~-Marijuana Dispensaries, all as they may be amended from time to time.

e. The applicant shall provide the City notice and applicable documentation from the state of any change in the ~~Person Responsible~~ “licensee” or “registrant” for a ~~Medical~~-Marijuana Dispensary or the suspension, loss, or forfeiture of any state approval, registration, licensing, or permitting.

f. The Zoning Permit and/or Site Plan Review approval for a ~~Medical~~ Marijuana Dispensary shall be void if any condition of approval is violated and not cured within 30 days of notice from City unless a cure is not reasonably possible within 30 days in which case the applicant must provide sufficient evidence, in City’s discretion, that the applicant has made reasonable progress towards a cure and the cure will be remedied a timely manner, but no later than 60 days.

g. The Zoning Permit and/or Site Plan Review approval shall expire if the Marijuana Dispensary does not operate for any period of six consecutive months.